



1642

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TECH CENTER 1900/2900  
MAY 24 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JAMES CHEN  
Serial No.: 09/905,777  
Filed: July 13, 2001  
For: *NONINVASIVE VASCULAR THERAPY*  
Confirmation No.: 5768  
Art Unit: 1614  
Examiner: Unassigned

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

ATTN: BOX MISSING PARTS  
Commissioner for Patents  
US Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202, on this date.

05/06/02  
Date

Debra Walker

TRANSMITTAL LETTER

ATTN: BOX MISSING PARTS  
Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Sir:

Transmitted herewith are the following documents:

- 1) Response to Notice of Incomplete Reply (Nonprovisional) and Notice of Address;
- 2) A copy of Notice of Incomplete Reply (NONPROVISIONAL);
- 3) A copy of Notice to File Missing Parts;
- 4) A copy of Response to Missing Parts filed January 25, 2002;
- 5) Supplemental Response to Notice to Filing Missing Parts filed March 8, 2002;

**U.S.S.N. 09/905,777**  
**James Chen**  
**TRANSMITTAL LETTER**

- 6) A copy of the Abstract; and
- 7) Return postcard.
- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213.

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

  
\_\_\_\_\_  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No.: 25886-0057  
**Address all correspondence to:**  
Stephanie L. Seidman, Esq.  
HELLER, EHRMAN, WHITE & McAULIFFE LLP  
4350 La Jolla Village Drive, 7th Floor  
San Diego, California 92122-1246  
Telephone: (858) 450-8400  
Facsimile: (858) 587-5360  
EMAIL: sseidman@hewm.com

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JAMES CHEN

Serial No.: 09/905,777

Filed: July 13, 2001

For: *NONINVASIVE VASCULAR THERAPY*

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Arlington, VA 22202, on this date.

05/06/02  
Date

Debra Walker

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MAY 24 2002  
TECH CENTER 1600/2900

**RESPONSE TO NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)  
AND NOTICE OF ADDRESS**

**ATTN: BOX MISSING PARTS**

Commissioner for Patents

P.O. Box 2327

Arlington, VA 22202

Sir:

This is in response to the Notice of Incomplete Reply (NONPROVISIONAL) mailed **March 28, 2002**, and attached hereto. A Response to the Notice to File Missing Parts was filed on January 25, 2002, and, a Supplemental Response to Notice to File Missing Parts was filed on March 8, 2002, thereby completing the response. On May 2, 2002, we contacted the Office of Initial Patent Examination to determine if the Patent Office had received a copy of the Response to Missing Parts filed January 25, 2002, and the Supplemental Response to Notice to Filing Missing Parts filed March 8, 2002. Joyce Riley from the Office of Initial Patent Examination confirmed that this application is complete as of May 2, 2002.

As a further confirmation, and in response to the Notice of Incomplete Reply (NONPROVISIONAL) mailed **March 28, 2002**, the following documents are submitted herewith:

- 1) A copy of Notice of Incomplete Reply (NONPROVISIONAL);
- 2) A copy of Notice to File Missing Parts;

**U.S.S.N. 09/905,777**

**James Chen**

**RESPONSE TO NOTICE OF INCOMPLETE REPLY**

- 3) A copy of Response to Missing Parts filed January 25, 2002;
- 4) Supplemental Response to Notice to Filing Missing Parts filed March 8, 2002;
- 5) A copy of the Abstract; and
- 6) Return postcard.

A copy of the Abstract is provided herein on a separate sheet as required by 37 C.F.R. §1.72(b). The abstract was inadvertently omitted from the Response to Missing Parts filed January 25, 2002. Applicant respectfully requests entry of the Abstract in the instant application.

**NOTICE OF ADDRESS**

Please send all correspondence for this application to:

**STEPHANIE L. SEIDMAN, ESQ.  
HELLER EHRMAN WHITE & MCAULIFFE LLP  
4350 LA JOLLA VILLAGE DRIVE, 7TH FLOOR  
SAN DIEGO, CA 92122-1246**

The telephone number is (858) 450-8400 and facsimile number is (858) 587-5360.

Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

  
\_\_\_\_\_  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No.: 25886-0057

**Address all correspondence to:**

Stephanie L. Seidman, Esq.  
HELLER, EHRMAN, WHITE & McAULIFFE LLP  
4350 La Jolla Village Drive, 7th Floor  
San Diego, California 92122-1246  
Telephone: (858) 450-8400  
Facsimile: (858) 587-5360  
EMAIL: sseidman@hewm.com

RECEIVED Page 1 of 1

MAY 24 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/905,717	MAY 10 2002 07/13/2001	James Chen	39803-2000400

25226  
MORRISON & FOERSTER LLP  
755 PAGE MILL RD  
PALO ALTO, CA 94304-1018

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APR 01 2002

MORRISON & FOERSTER, LLP

CONFIRMATION NO. 5768

FORMALITIES LETTER



\*OC000000007740532\*

Date Mailed: 03/28/2002

## NOTICE OF INCOMPLETE REPLY (NONPROVISIONAL)

### Filing Date Granted

The U.S. Patent and Trademark Office has received your reply on 02/07/2002 to the Notice to File Missing Parts (Notice) mailed 08/27/2001 and it has been entered into the nonprovisional application. The reply, however, does not include the following items required in the Notice.

The period of reply remains as set forth in the Notice. You may, however, obtain EXTENSIONS OF TIME under the provisions of 37 CFR 1.136 (a) accompanied by the appropriate fee (37 CFR 1.17(a)).

A complete reply must be timely filed to prevent ABANDONMENT of the above-identified application.

The required items noted below SHOULD be filed along with any items required above. The filing date of this nonprovisional application will be the date of receipt of the items required above.

- The oath or declaration is missing.

*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*

Minna Lomassa  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY

THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE  
AFFIXED HERETO WILL BE EVIDENCE OF RECEIPT OF THE  
FOLLOWING (SENT VIA FIRST CLASS PRIORITY MAIL) ON  
January 25, 2002

**Client No.:** 25886-0057  
**Enclosures:** Response to Missing Parts (in  
duplicate); Declaration for Pat. Appln;  
Check in the amount of \$525, Return  
Postcard

**Applicant(s):** James Chen  
**Serial No.:** 09/905,777  
**Filed:** July 13, 2001  
**For:** NONINVASIVE VASCULAR THERAPY

PLEASE STAMP HERE (THANK YOU):



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MAY 24 2002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

Applicant: James Chen  
Serial No.: 09/905,777  
Filed: July 13, 2001  
For: **NONINVASIVE VASCULAR  
THERAPY**

I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:  
Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231, on this date.

01/25/2002  
Date

  
Robert Wickman

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

Commissioner for Patents  
Box Missing Parts  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts mailed August 27, 2001, the following documents are submitted herewith:

- 1) A copy of the Notice to File Missing Parts;
- 2) Executed Declaration(s) for Patent Application;
- 3) Check in the amount of \$525, which includes the \$65 small entity surcharge, \$460 three (3) month extension fee;
- 4) Return postcard.

**U.S.S.N. 09/905,777**

**James Chen**

**RESPONSE TO NOTICE TO FILE MISSING PARTS**

- ☒ The Commissioner is hereby authorized to charge any fee, including any submitted herewith if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account No. 50-1213. A duplicate of this sheet is enclosed.

Respectfully submitted,  
HELLER EHRMAN WHITE & McAULIFFE LLP

By:

  
Stephanie Seidman  
Registration No. 33,779

SLS:rmw

Attorney Docket No.: 25886-0057

**Address all correspondence to:**

Stephanie Seidman, Esq.

HELLER, EHRMAN, WHITE & McAULIFFE LLP

4350 La Jolla Village Drive, 7th Floor

San Diego, California 92122-1246

Telephone: (858) 450-8400

Facsimile: (858) 587-5360

EMAIL: sseidman@hewm.com



MAY 24 2002



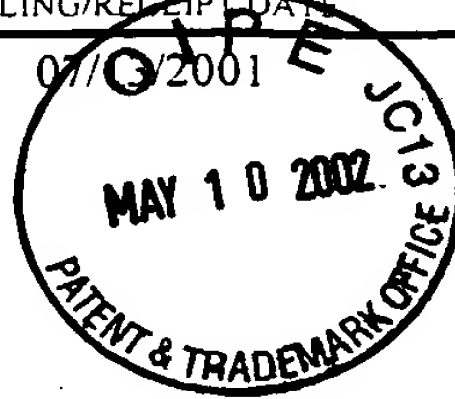
UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/2900

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20230  
WWW.USPTO.GOV

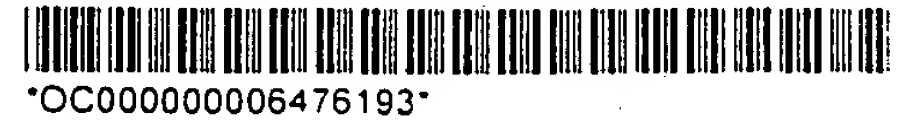
APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/905,777	07/03/2001	James Chen	398032000400

25226  
MORRISON & FOERSTER LLP  
755 PAGE MILL RD  
PALO ALTO, CA 94304-1018



CONFIRMATION NO. 5768

FORMALITIES LETTER



Date Mailed: 08/27/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- An abstract was not provided for this application. An abstract of the technical disclosure is required under 37 CFR 1.72(b).

*A copy of this notice **MUST** be returned with the reply.*

*Shmuel*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

Client / Matter

Date

Description

886-0057

01/25/2002

04



RECEIVED

MAY 24 2002 \$525.00

TECH CENTER 1600/2900

*Robert*

ENDOR CODE: 31050 COMMISSIONER FOR PATENTS

CHECK DATE: 01/25/2002

Operating

CHECK NUMBER: 22464

CHECK REQUEST: 269312

CHECK AMOUNT: \$525.00

**HellerEhrman**  
ATTORNEYS

Heller Ehrman White & McAuliffe LLP  
4250 Executive Square, 7th Floor  
La Jolla, CA 92037-9103

**BANK OF AMERICA**  
San Francisco Regional  
Commercial Banking Office #1499  
345 Montgomery Street  
San Francisco, CA 94104

1-8  
210

22464 022464

Check Date: 01/25/2002

**PAY ONLY: \*\*\*\*\*\$525.00**

**PAY FIVE HUNDRED TWENTY-FIVE DOLLARS AND 00 CENTS**

COUNTER SIGNATURE REQUIRED FOR AMOUNTS OVER \$2,500.00

TO THE  
ORDER OF  
COMMISSIONER FOR PATENTS  
WASHINGTON, DC 20231

*Phyllis Gordon*

AUTHORIZED SIGNATURE

022464 1210003581 14990 05472



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MAY 24 2002

TECH CENTER 160012900

THE STAMP OF THE U.S. PATENT AND TRADEMARK OFFICE AFFIXED HERETO  
WILL BE EVIDENCE OF RECEIPT OF THE FOLLOWING SENT VIA FIRST CLASS  
[PRIORITY] MAIL ON 03/08/02:

CLIENT NO.: 25886-0057 SLS:MB:lm

ENCLOSURES: A SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING  
PARTS TRANSMITTAL LETTER (in duplicate); A COPY OF THE  
NOTICE TO FILE MISSING PARTS; A COPY OF THE ABSTRACT;  
A COPY OF RESPONSE TO MISSING PARTS FILED 01/25/02; and  
RETURN POSTCARD.

APPLICANT: JAMES CHEN

SERIAL NO.: 09/905,777

FILED: JULY 13, 2001

FOR: NONINVASIVE VASCULAR THERAPY

PLEASE STAMP HERE (THANK YOU):

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JAMES CHEN

Serial No.: 09/905,777

Filed: July 13, 2001

For: *NONINVASIVE VASCULAR THERAPY*

Confirmation No.: 5738

Art Unit: 1614

Examiner: Unassigned



I hereby certify that this paper and the attached papers are being deposited with the United States Postal Service as first class mail in an envelope addressed to:

ATTN: BOX MISSING PART  
Commissioner for Patents  
US Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202, on this date.

03/08/02  
Date

Lynn Morkunas

**SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING PARTS**

ATTN: BOX MISSING PARTS  
Commissioner for Patents  
U.S. Patent and Trademark Office  
P.O. Box 2327  
Arlington, VA 22202

Sir:

As a supplement to the response, filed 01/25/02, to the Notice to File Missing Parts mailed August 27, 2001, the following documents are submitted herewith:

- 1) A copy of the Notice to File Missing Parts;
- 2) A copy of the Abstract;
- 3) A copy of Response to Missing Parts filed 01/25/02;
- 4) Return postcard.

A copy of the Abstract is provided herein on a separate sheet as required by 37 C.F.R. §1.72(b). The abstract was inadvertently omitted from the Response to Missing Parts filed 01/25/02. Applicant respectfully requests entry of the Abstract in the instant application.

U.S.S.N. 09/905,777

James Chen

**SUPPLEMENTAL RESPONSE TO NOTICE TO FILE MISSING PARTS**

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Respectfully submitted,  
HELLER, EHRMAN, WHITE & McAULIFFE LLP

By:

  
Stephanie L. Seidman  
Registration No. 33,779

Attorney Docket No.: 25886-0057

**Address all correspondence to:**

Stephanie L. Seidman, Esq.

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Telephone: (858) 450-8400

Facsimile: (858) 587-5360

EMAIL: sseidman@hewm.com